

City of Carter Lake  
City Hall – 950 Locust St.  
Proceedings: Greivance Hearing  
Monday, September 22, 2014 – 4:30 PM

Mayor Gerald Waltrip called the meeting to order at 4:30 PM.

Roll Call: Present – Mayor Gerald Waltrip

Council members Ed Aldmeyer, Barb Hawkins, Ron Cumberledge and Barb Melonis.

Absent – Council member Dave Huey.

Also present – City Attorney Joe Thornton (arrived at 4:35 PM) and Deputy City Clerk Lisa Ruehle.

Mayor Waltrip stated that there are two grievance items on the agenda and there might be a closed meeting. It is up to that individual to request a closed meeting.

1. Grievance hearing for City Clerk – Doreen Mowery. Doreen Mowery requested that the City Council go into closed session to discuss her grievance, approved by the Iowa Code for personnel matters. Moved by council member Aldmeyer seconded by council member Melonis to go into closed session pursuant to Chapter 21.5 (i) of the Code of Iowa. Ayes: Council members Aldmeyer, Hawkins, and Melonis. Nay: Council member Cumberledge. Mayor Waltrip stated that he is not in favor of closed sessions. He doesn't feel this is one of the areas that we should close the meeting, however if that is what the council wishes that is what we will do. City Attorney Thornton explained that the law allows for an employee to request a closed session. If they request to go into closed session, you should go into closed session. It is a formality for the council to approve it. John Patterson stated that the employee can request a closed session; the council still has to vote on it. The last sentence in the code says you have to believe there will be irreparable harm done on the employee by having it open. And the last paragraph in chapter 21 says there is no reason that you have to go into closed session. Attorney Thornton explained to the public how the process will go. The grievance presentation will be made in this closed session, the council will go into executive session, and then come out of executive session, then come out of closed session. And then any action would be taken in a public vote.

The council went into closed session at 4:40 PM.

Moved by council member Hawkins seconded by council member Melonis to come out of closed session at 5:02. Ayes: Unanimous.

Moved by council member Aldmeyer seconded by council member Hawkins to remove the reprimand from Doreen Mowery's personnel file. Ayes: Council members Aldmeyer, Hawkins, and Melonis. Nay: Council member Cumberledge.

2. Grievance hearing for Resource Center Director – Michelle Badalucco. The employee requested to go into closed session. Moved by council member Aldmeyer seconded by council member Hawkins to go into closed session pursuant to Chapter 21.5 (i) of the Code of Iowa. Ayes: Council members Aldmeyer, Hawkins, and Melonis. Nay: Council member Cumberledge. Mayor Waltrip stated that the

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employee has requested the closed session, but he wants to be on public record that he does not think this is a closed session item.

The council went into closed session at 5:05 PM.

Moved by council member Hawkins seconded by council member Melonis to come out of closed session at 5:13. Ayes: Unanimous.

Moved by council member Aldmeyer seconded by council member Hawkins to remove the reprimand from Michelle Badalucco's personnel file. Ayes: Council members Aldmeyer, Hawkins, and Melonis. Nay: Council member Cumberledge.

Mayor Waltrip stated that at this stage of the game he's not too sure the motion is a motion. But he will live with that as the council votes. He has 14 days to study this, and he is going to study it vigilantly. Because he would never issue a reprimand if he didn't think he was totally, totally right. That is why he issued the reprimand and he stands by what he did.

The meeting was adjourned at 5:16 PM

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Lisa Ruehle, Deputy City Clerk

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Gerald Waltrip, Mayor